



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

AUG 30 2010

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-084

Mr. Mark S. Nelson, P.E.
Team Leader – Remediation
Williams Gas Pipeline
2800 Post Oak Boulevard
Houston, Texas 77056

Re: Approval of Williams Gas Pipeline's Request for a Risk-Based Disposal Approval for
Cleanup of PCB Remediation Waste – Sumas Compressor Station, Sumas, Washington

Dear Mr. Nelson:

This letter constitutes approval under the authority of 40 Code of Federal Regulations (C.F.R.) § 761.61(c) to cleanup certain PCB bulk remediation waste at the Williams Gas Pipeline Sumas Compressor Station, Sumas Washington. This approval is specific to the project area documented in your July 9, 2010, notice of self-implementing cleanup of PCB remediation waste, and is subject to conditions established below. As documented in your August 17, 2010, letter to the Environmental Protection Agency (EPA) (Reference 1), Williams Gas Pipeline requested that the EPA consider your earlier notice of self-implementing cleanup of PCB remediation waste, dated July 9, 2010, (Reference 2), as a request for a risk-based disposal approval. The rationale of the EPA for establishing these conditions is contained in the Statement of Basis appearing as Enclosure 2 of this letter.

This written decision for a risk-based method for processing for disposal and storage for disposal of PCB remediation waste is based on documentation provided to EPA identified in Enclosure 1. In granting this approval, EPA finds that the proposed management of PCB bulk PCB remediation waste, subject to the conditions below, will not pose an unreasonable risk of injury to human health or to the environment. The conditions of this approval are enforceable under TSCA and implementing regulations 40 C.F.R. § 761.61(c). Any actions by the Williams Gas Pipeline which violate the terms and conditions of this letter may result in administrative, civil, or criminal enforcement by EPA in accordance with Section 16 TSCA, 15 USC § 2615.

Conditions

- 1) Williams Gas Pipeline is authorized to conduct cleanup and associated verification sampling of PCB remediation waste as documented in Reference 2. This approval shall remain in effect for six months from its effective date. Williams Gas Pipeline may request an extension to this six-month period if necessary to support final disposal of the cleanup wastes.
- 2) Excavated PCB remediation waste may be temporarily stored in containers and/or roll-off boxes at or near the point of excavation prior to off-site shipment. Containers must have covers and locking rings installed, except when placing waste

into the containers. Roll-off boxes must be equipped with a cover that prevents infiltration of precipitation into the roll-off box and prevents airborne dispersal of PCB remediation waste, and which is in place at all times except when adding waste to the roll-off box. All other on-site storage for disposal of PCB remediation waste must be in compliance with the requirements of 40 C.F.R. § 761.65(b).

- 3) Within ten (10) days of the effective date of this approval, Williams Gas Pipeline must provide documentation to EPA according to Condition 11 that it has notified EPA of its PCB handling activities according to the requirements of 40 C.F.R. §761.206.
- 4) Williams Gas Pipeline must comply with the applicable requirements of 40 C.F.R. § 761.61(a)(8)(i).
- 5) Williams Gas Pipeline must ensure that all on-site personnel conducting activities pursuant to this approval have appropriate training and personal protective equipment to ensure that potential dermal and inhalation exposure to PCB remediation waste does not pose an unreasonable risk of injury to health.
- 6) Williams Gas Pipeline must ensure that all equipment used for conducting cleanup or verification sampling under this approval and which may be contaminated with or in contact with PCB remediation waste, as well as non-liquid cleaning materials and personal protective equipment, is managed according to the requirements of 40 C.F.R. § 761.61(a)(4)(v).
- 7) Williams Gas Pipeline must prepare and maintain records documenting completion of work according to requirements of this approval. At a minimum, records must include all field notes and photographs of cleanup and verification sampling activities, analytical data packages used to demonstrate compliance with cleanup standards, and manifests and certificates of disposal for all PCB remediation waste shipped off-site for disposal. Records must be maintained by Williams Gas Pipeline until such time as the project area is re-classified as other than a low-occupancy area, or a period of five years, whichever is longer.
- 8) Nothing in this approval relieves Williams Gas Pipeline of any obligations to comply with all other rules and regulations applicable to the activities subject to this approval.
- 9) If any time before, during or after management of PCB remediation waste under this approval, Williams Gas Pipeline possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in the application for this risk-based disposal approval) indicating that activities approved herein may pose an unreasonable risk of injury to health or the environment, Williams Gas Pipeline must report such data, via facsimile or e-mail to EPA within five working days, and in writing to the Regional Administrator within 30 calendar days, of first being made aware of that data. Williams Gas Pipeline shall immediately cease all activities approved herein that may pose an unreasonable risk of injury to health or the environment. Such activities shall not resume until EPA provides written notification that the activities in question no longer pose an unreasonable risk of injury to health or the environment.

10) EPA reserves the right to modify or revoke this approval based on information provided pursuant to Condition 9, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment. Williams Gas Pipeline may request modification of this approval by providing written notice according to Condition 11. If EPA agrees with a request for modification, EPA will provide written approval to Williams Gas Pipeline. Prior to obtaining written approval of a modification request, Williams Gas Pipeline shall comply with the existing approval conditions.

11) Submissions required by this approval shall be provided to EPA as follows:

EPA: Edward J. Kowalski, Director
Office of Compliance and Enforcement
EPA Region 10
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Seattle, Washington 98101

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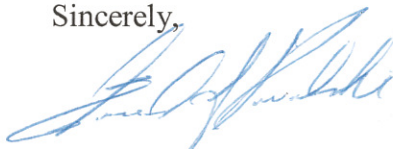
W/copies to

Dave Bartus
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Should you have any questions or comments, please contact Dave Bartus at (206) 553-2804, or by e-mail at Bartus.dave@epa.gov.

Sincerely,



Edward J. Kowalski
Director

Enclosures (2)

cc: Julie Sellick, Washington State Department of Ecology, Northwest Regional Office
Bill Angel, Whatcom County Health Department

Enclosure 1
Risk-Based Disposal Approval
Williams Gas Pipeline, Sumas Compressor Station, Sumas Washington

Supporting Documentation

Approval of Williams Gas Pipeline's Request for a Risk-Based Disposal Approval for Cleanup of PCB Remediation Waste – Sumas Compressor Station, Sumas, Washington

- 1) Letter, "Application for Risk-Based Disposal Approval of PCB remediation waste under 40 C.F.R. § 761.61(c), Northwest Pipeline GP, Sumas Compressor Station, 4738 Jones Road, Sumas, Washington," from Mark S. Nelson, P.E, Williams Gas Pipeline, to Scott Downey, United States Environmental Protection Agency, Region 10, dated August 17, 2010.
- 2) Letter, "30-Day Notification of Self-implementing PCB Remediation under 40 C.F.R. § 761.61(a), Northwest Pipeline GP, Sumas Compressor Station, 4738 Jones Road, Sumas, Washington," dated July 9, 2010.

Enclosure 2

**Statement of Basis
Risk-Based Disposal Approval
Williams Gas Pipeline, Sumas Compressor Station, Sumas Washington**

Background

On July 9, 2010, Williams Gas Pipeline (WGP) provided the United States Environmental Protection Agency, Region 10 (EPA) with a notice of self-implementing cleanup of PCB remediation waste at the WGP Sumas Compressor Station in Sumas, Washington (Reference 2). Most of the proposed activities in this notice were consistent with the requirements of 40 Code of Federal Regulations (C.F.R.) § 761.61(a). However, the notice requested authorization to apply a method of verification sampling other than that required by 40 C.F.R. § 761.61(a)(6). EPA informally discussed this issue with WGP, noting that WGP's proposal, while defensible, would be more amenable to approval as a risk-based disposal approval pursuant to 40 C.F.R. § 761.61(c). WGP agreed, and provided EPA with a written request to consider WGP's earlier notice of self-implementing cleanup as a request for a risk-based disposal approval on August 17, 2010. Therefore, this approval is based on the technical content of the original notice of self-implementing cleanup, but under the authority of 40 C.F.R. § 761.61(c).

EPA's Evaluation of Williams Gas Pipeline Risk-Based Disposal Approval Application

As documented in WGP's submissions to EPA, the PCB remediation work subject to this approval resulted from waste characterization sampling conducted prior to a pending construction project to replace Cathodic protection anodes at WGP's Sumas, Washington, compressor station. Based on previously-identified arsenic contamination at the facility, WGP performed sampling of the project area to satisfy requirements of various state regulatory programs¹. This sampling identified arsenic-impacted soil that would require remediation, and in order to characterize the pending waste for disposal, select soil samples were also analyzed for PCBs among other constituents. PCBs were found at concentrations that require management and disposal under the Toxics Substances Control Act (TSCA), so additional samples were collected and/or analyzed to define the extent of these impacts. WGP documented the results of this characterization sampling in Table 1 and Figure 1 of the July 9, 2010, notice to EPA. EPA accepts the results of this characterization work for defining the vertical and horizontal nature and extent of PCB contamination within the anode replacement project area, and for defining the initial scope of removal of contaminated soil (PCB remediation waste) as necessary to satisfy the proposed cleanup level of 25 parts per million (ppm) total PCBs, as measured by Aroclor mixture.

¹ These programs include the Washington State Department of Ecology Model Toxics Control Act (MTCA) requirements at Washington Administrative Code (WAC) Chapter 173-340, Dangerous Waste Regulations at WAC Chapter 173-303, and Washington Department of Labor and Industries "Arsenic Rule" requirements, WAC Chapter 296-848.

WGP's July 9, 2010, notice to EPA documents that PCBs at the Sumas Compressor Station were originally discovered on March 8, 1987. Subsequently, the NWPL GP unit of Williams Gas Pipeline entered into Consent Order No. 1087-03-18-106 with EPA Region 10 under authority of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to assess and remediate PCBs at the subject facility. These activities were completed by August 1988. Records from this work were reviewed in the context of the anode replacement project, and it appears that the area where PCBs were recently found, while in general proximity to one historical sample location, were not previously sampled for PCBs. WGP's current communication with EPA is specific to the anode replacement project area, and does not provide any information beyond this project area regarding contamination that may be present but was not addressed by the previous CERCLA action. Therefore, EPA's findings and decision in this approval are specifically limited to the anode replacement project area, and should not be construed as a finding or decision regarding environmental conditions or requirements elsewhere at the Sumas Compressor Station.

WGP has proposed a cleanup level of 25 ppm total Aroclors, based on the self-implementing cleanup requirements at 40 C.F.R. § 761.61(a)(4)(b)(i) for low-occupancy areas. EPA accepts this cleanup level as posing no unreasonable risk of injury to health or the environment, since the Sumas Compressor Station is an industrial facility with security and access controls consistent with a low-occupancy exposure scenario following completion of cleanup activities. While the 25 ppm PCB cleanup level does not require a fence or a cover, and WGP's proposal does discuss back-filling of excavated areas, EPA expects that WGP will back-fill the excavation area for operational purposes, providing additional protection from potential exposure to PCBs remaining in place below the 25 ppm cleanup level.

Based on the characterization work discussed above, WGP has proposed to excavate soils contaminated with PCBs within sampling grid areas associated with PCBs above the cleanup level, followed by verification sampling at the same sampling grid locations used for characterization sampling. WGP notes that the existing sampling grid, as well as characterization and verification sampling, is already in place at the Sumas Compressor Station for other site characterization work, and that changing the grid would be costly and could potentially create confusion with multiple sampling grids. EPA agrees that having a consistent sampling grid and sampling approach across the site and environmental programs is appropriate, and accepts the proposed verification sampling as proposed in the July 9, 2010, notification for purposes of demonstrating compliance with the 25 ppm PCB cleanup level and the no unreasonable risk standard of 40 C.F.R. § 761.61(c).

WGP proposes to dispose of PCB remediation waste generated from cleanup activities under this approval in a commercial chemical waste landfill, which is consistent with performance-based disposal of PCB remediation waste pursuant to 40 C.F.R. § 761.61(b).

Discussion of Conditions

- 1) Williams Gas Pipeline is authorized to conduct cleanup and associated verification sampling of PCB remediation waste as documented in Reference 2. This approval shall remain in effect for six months from its effective date. Williams Gas Pipeline

may request an extension to this six-month period if necessary to support final disposal of the cleanup wastes.

This condition establishes the basic authorization to conduct the proposed cleanup and verification sampling activities, including the spatial boundaries of the proposed activities. WGP's July 9, 2010, notice to EPA does not identify an expected project schedule for completing work under this approval. EPA is allowing a period of six months for completing the proposed work, with a provision for a schedule extension if necessary to complete the authorized work.

- 2) Excavated PCB remediation waste may be temporarily stored in containers and/or roll-off boxes at or near the point of excavation prior to off-site shipment. Containers must have covers and locking rings installed except when placing waste into the containers. Roll-off boxes must be equipped with a cover that prevents infiltration of precipitation into the roll-off box and prevents air-born dispersal of PCB remediation waste, and which is in place at all times except when adding waste to the roll-off box. All other on-site storage for disposal of PCB remediation waste must be in compliance with the requirements of 40 C.F.R. § 761.65(b).

WGP's July 9, 2010, notice does not include any specific discussion of management of PCB remediation other than excavated soils will be placed in containers or roll-off boxes. EPA recognizes that it may not be practical to fully comply with the storage for disposal requirements of 40 C.F.R. § 761.65 for a one-time cleanup. Therefore, EPA is establishing basic management standards appropriate for short-term storage during the remediation period prior to off-site shipment of the estimated 49 cubic yards of PCB remediation waste estimated to be generated under this approval.

- 3) Within ten (10) days of the effective date of this approval, Williams Gas Pipeline must provide documentation to EPA according to Condition 11, that it has notified EPA of its PCB handling activities according to the requirements of 40 C.F.R. § 761.206.

EPA's national PCB handler database, as of July 2010, does not identify the WGP Sumas Compressor Station as having notified EPA of any PCB handling activities. Since WGP must have a TSCA identification number to ship PCB remediation waste to a commercial chemical waste landfill, EPA is including this condition for providing the required notice to EPA.

- 4) Williams Gas Pipeline must comply with the applicable requirements of 40 C.F.R. § 761.61(a)(8)(i).

The cited requirements relate to recording a deed notice of the presence of PCBs remaining at low-occupancy requirements. Although this requirement is included under provisions for self-implementing cleanups, EPA is establishing this requirement under this risk-based disposal approval to ensure no unreasonable risk of injury to health or the environment for any future uses of the property.

- 5) Williams Gas Pipeline must ensure that all on-site personnel conducting activities pursuant to this approval have appropriate training and personal protective equipment to ensure that potential dermal and inhalation exposure to PCB remediation waste does not pose an unreasonable risk of injury to health.

WGP's proposal does not include any discussion of either training or worker personal protective equipment (PPE) which may be appropriate for conducting hand excavation of PCB remediation waste within the project area. EPA is including this general, performance-based requirement to ensure work activities do not pose an unreasonable risk of injury to health of workers and other on-site personnel.

- 6) Williams Gas Pipeline must ensure that all equipment used for conducting cleanup or verification sampling under this approval and which may be contaminated with or in contact with PCB remediation waste, as well as non-liquid cleaning materials and personal protective equipment, is managed according to the requirements of 40 C.F.R. § 761.61(a)(4)(v).

WGP's proposal does not include any discussion of decontamination or disposal of equipment which may be used for excavation or sampling of PCB remediation waste under this approval. EPA is establishing this requirement to ensure there is no inadvertent spread of or contact with PCB remediation waste managed under this approval.

- 7) Williams Gas Pipeline must prepare and maintain records documenting completion of work according to requirements of this approval. At a minimum, records must include all field notes and photographs of cleanup and verification sampling activities, analytical data packages used to demonstrate compliance with cleanup standards, and manifests and certificates of disposal for all PCB remediation waste shipped off-site for disposal. Records must be maintained by Williams Gas Pipeline until such time as the project area is re-classified as other than a low-occupancy area, or for a period of five years, whichever is longer.

EPA is establishing this requirement to ensure that WGP can document compliance with requirements of this approval.

- 8) Nothing in this approval relieves Williams Gas Pipeline of any obligations to comply with all other rules and regulations applicable to the activities subject to this approval.

This condition establishes that this approval under TSCA does not relieve WGP of any other obligation that it may have with respect to the approved activities.

- 9) If any time before, during or after management of PCB remediation waste under this approval, Williams Gas Pipeline possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in the application for this risk-based disposal approval) indicating that activities approved herein may pose an unreasonable risk of injury to health or the environment, Williams Gas Pipeline must report such data, via facsimile or e-mail to EPA within five working days, and in writing to the Regional Administrator within 30 calendar days, of first being made aware of that data. Williams Gas Pipeline shall immediately cease all activities approved herein that may pose an unreasonable risk of injury to health or the environment. Such activities shall not resume until EPA provides written notification that the activities in question no longer pose an unreasonable risk of injury to health or the environment.

This condition ensures that if any information not available to EPA at the time this approval is issued becomes known, it will be made available to EPA for purposes of ensuring that activities subject to this approval continue to pose no unreasonable risk of injury to health or the environment.

- 10) EPA reserves the right to modify or revoke this approval based on information provided pursuant to Condition 9, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment. Williams Gas Pipeline may request modification of this approval by providing written notice according to Condition 11. If EPA agrees with a request for modification, EPA will provide written approval to Williams Gas Pipeline. Prior to obtaining written approval of a modification request, Williams Gas Pipeline shall comply with the existing approval conditions.

This condition establishes the basis for modification of this approval by either EPA or WGP.

- 11) Submissions required by this approval shall be provided to EPA as follows:

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